

Bureau of Health Care Quality and Compliance

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: NVN3839HPC	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED 05/04/2011
NAME OF PROVIDER OR SUPPLIER BARTON HOSPICE OF THE LAKE/VALLEY			STREET ADDRESS, CITY, STATE, ZIP CODE 1617 WATER STREET, SUITE K MINDEN, NV 89423		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE	
L 000	<p>INITIAL COMMENTS</p> <p>This Statement of Deficiencies was generated as a result of a State Licensure Focused survey conducted in your facility on 5/4/11, in accordance with Nevada Administrative Code, Chapter 449, Provision of Hospice Care.</p> <p>The findings and conclusions of any investigation by the Health Division shall not be construed as prohibiting any criminal or civil investigations, actions or other claims for relief that may be available to any party under applicable federal, state or local laws.</p> <p>The agencies census was 5. Four patient charts were reviewed. One home visit was made.</p> <p>The following regulatory deficiencies were identified:</p>	L 000			
L 069	<p>449.0186 REQUIREMENTS FOR PLAN OF CARE</p> <p>2. A plan of care must: (c) State the scope and frequency of each service to be provided to the patient and members of his family. This Regulation is not met as evidenced by: Based on clinical record review and staff interview, the agency failed to provide services as ordered by the physician, for each discipline on the plan of care. The visits provided to the patients did not meet the ordered frequency and duration on the plan of care for 2 of 4 patient records reviewed. (Patient #3 and #4)</p> <p>1. Patient #3's start of care date was 3/29/11. The physician ordered a medical social worker (MSW) evaluation which was done on 4/5/11.</p>	L 069			

If deficiencies are cited, an approved plan of correction must be returned within 10 days after receipt of this statement of deficiencies.

TITLE

(X6) DATE

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

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L 069	Continued From page 1 The MSW recommended and the physician ordered MSW visits to be done one to two times a week for two weeks. One visit was done on 4/13/11 and another on 4/27/11 (two weeks later). There was no MSW visit the week of 4/17 - 4/23/11. 2. Patient #4's start of care date was 4/22/11. The physician ordered an MSW evaluation which was done 4/25/11. The MSW recommended and the physician ordered MSW visits to be done three to four times in the first month (April 2011). No other MSW visits were made the first month. Scope : 2 Severity : 2	L 069			
L9999	FINAL OBSERVATIONS NAC 441A.375(3) Before initial employment, a person employed in a medical facility or a facility for the dependent shall have a: (a) Physical examination or certification from a licensed physician that the person is in a state of good health, is free from active tuberculosis and any other communicable disease in a contagious stage; and (b) Mantoux tuberculin skin test, including persons with a history of bacillus Calmette-Guerin (BCG) vaccination. If the employee has no documented history of a 2-step Mantoux tuberculin skin test and has not had a single Mantoux tuberculin skin test within the preceding 12 months, then a 2-step Mantoux tuberculin skin test must be administered. A single annual Mantoux tuberculin skin test must be administered thereafter.	L9999			

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L9999	<p>Continued From page 2</p> <p>NAC 441A.375(4) An employee with a documented history of a positive Mantoux tuberculin skin test is exempt from screening with skin test or chest radiographs unless he develops symptoms suggestive of tuberculosis.</p> <p>NAC 441A.375(6) Counseling and preventive therapy must be offered to a person with a positive Mantoux tuberculin skin test in accordance with the recommendations of the American Thoracic Society and the American Lung Association set forth in " Tuberculosis: What the Physician Should Know. "</p> <p>NAC 441A.380(2) Except as otherwise provided in this section, the staff of a facility for the dependent or a medical facility for extended care, skilled nursing, or intermediate care shall: (b) Within 24 hours after a person, including a person with a history of bacillus Calmette-Guerin (BCG) vaccination, is admitted to the facility, ensure that the person has a Mantoux tuberculin skin test, unless there is not a person qualified to administer the test in the facility when the person is admitted, the staff of the facility shall ensure that the test is performed within 24 hours after a qualified person arrives at the facility or within 5 days after the patient is admitted, whichever is sooner. (c) If the person has no documented history of a two-step Mantoux tuberculin skin test and has not had a single Mantoux tuberculin skin test within the 12 months preceding admission, ensure that the person has a two-step Mantoux tuberculin skin test. After a person has had a two-step</p>	L9999			

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L9999	<p>Continued From page 3</p> <p>Mantoux tuberculin skin test, the facility shall ensure that the person has a single Mantoux tuberculin skin test annually thereafter.</p> <p>TB Testing Requirements</p> <p>NAC 441A.375 Medical facilities and facilities for the dependent: Placement and care of cases and suspected cases; surveillance and testing of employees.</p> <p>1. A case having tuberculosis or suspected case considered to have tuberculosis in a medical facility or a facility for the dependent must be placed in Acid-fast bacilli (AFB) isolation and cared for in accordance with Acid-fast bacilli (AFB) precautions set forth in "Centers for Disease Control Guidelines for Isolation Precautions in Hospitals" and the recommendations of the Centers for Disease Control for preventing the transmission of tuberculosis in facilities providing health care set forth in "Guidelines for Preventing the Transmission of Tuberculosis in Health-Care Settings, with Special Focus on HIV-Related Issues."</p> <p>2. A medical facility or facility for the dependent shall maintain surveillance of employees of the facility for tuberculosis and tuberculosis infection. The surveillance of employees must be conducted in accordance with the recommendations of the Centers for Disease Control for preventing the transmission of tuberculosis in facilities providing health care set forth in "Guidelines for Preventing the Transmission of Tuberculosis in Health-Care Settings, with Special Focus on HIV-Related Issues."</p> <p>3. Before initial employment, a person employed in a medical facility or a facility for the dependent shall have a:</p>	L9999			

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L9999	<p>Continued From page 4</p> <p>(a) Physical examination or certification from a licensed physician that the person is in a state of good health, is free from active tuberculosis and any other communicable disease in a contagious stage; and</p> <p>(b) Mantoux tuberculin skin test, including persons with a history of bacillus Calmette-Guerin (BCG) vaccination.</p> <p>If the employee has no documented history of a 2-step Mantoux tuberculin skin test and has not had a single Mantoux tuberculin skin test within the preceding 12 months, then a 2-step Mantoux tuberculin skin test must be administered. A single annual Mantoux tuberculin skin test must be administered thereafter.</p> <p>4. An employee with a documented history of a positive Mantoux tuberculin skin test is exempt from screening with skin tests or chest radiographs unless he develops symptoms suggestive of tuberculosis.</p> <p>5. A person who demonstrates a positive skin test administered pursuant to subsection 3 shall submit to a chest radiograph and medical evaluation for active tuberculosis.</p> <p>6. Counseling and preventive therapy must be offered to a person with a positive Mantoux tuberculin skin test in accordance with the recommendations of the American Thoracic Society and the American Lung Association set forth in "Tuberculosis: What the Physician Should Know."</p> <p>7. A medical facility shall maintain surveillance of employees for the development of pulmonary symptoms. A person with a history of tuberculosis or a positive tuberculin skin test shall report promptly to the infection control specialist, if any, or to the director or other person in charge of the medical facility if the medical facility has not designated an infection control specialist, when any pulmonary symptoms develop. If symptoms</p>	L9999			

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L9999	<p>Continued From page 5</p> <p>of tuberculosis are present, the employee shall be evaluated for tuberculosis. (Added to NAC by Bd. of Health, eff. 1-24-92)</p> <p>NAC 441A.380 Admission of persons to medical facility for extended care, skilled nursing, or intermediate care or facility for the dependent: Testing; respiratory isolation; medical treatment; counseling and preventive therapy; documentation.</p> <p>1. Except as otherwise provided in this section, before admitting a person to a medical facility for extended care, skilled nursing, or intermediate care, the staff of the facility shall ensure that a chest radiograph of the person has been taken within 30 days preceding admission to the facility.</p> <p>2. Except as otherwise provided in this section, the staff of a facility for the dependent or a medical facility for extended care, skilled nursing, or intermediate care shall:</p> <p>(a) Before admitting a person to the facility, determine if the person:</p> <p>(1) Has had a cough for more than 3 weeks;</p> <p>(2) Has a cough which is productive;</p> <p>(3) Has blood in his sputum;</p> <p>(4) Has a fever which is not associated with a cold, flu, or other apparent illness;</p> <p>(5) Is experiencing night sweats;</p> <p>(6) Is experiencing unexplained weight loss; or</p> <p>(7) Has been in close contact with a person who has active tuberculosis.</p> <p>(b) Within 24 hours after a person, including a person with a history of bacillus Calmette-Guerin (BCG) vaccination, is admitted to the facility, ensure that the person has a Mantoux tuberculin skin test, unless there is not a person qualified to administer the test in the facility when the patient</p>	L9999			

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L9999	<p>Continued From page 6</p> <p>is admitted. If there is not a person qualified to administer the test in the facility when the person is admitted, the staff of the facility shall ensure that the test is performed within 24 hours after a qualified person arrives at the facility or within 5 days after the patient is admitted, whichever is sooner.</p> <p>(c) If the person has no documented history of a two-step Mantoux tuberculin skin test and has not had a single Mantoux tuberculin skin test within the 12 months preceding admission, ensure that the person has a two-step Mantoux tuberculin skin test. After a person has had a two-step Mantoux tuberculin skin test, the facility shall ensure that the person has a single Mantoux tuberculin skin test annually thereafter.</p> <p>3. A person with a documented history of a positive Mantoux tuberculin skin test is exempt from skin testing and routine annual chest radiographs, but the staff of the facility shall ensure that the person is evaluated at least annually for the presence or absence of symptoms of tuberculosis.</p> <p>4. If the staff of the facility determines that a person has had a cough for more than 3 weeks and that he has one or more of the other symptoms described in paragraph (a) of subsection 2, the person may be admitted to the facility if the staff keeps the person in respiratory isolation until a health care provider determines whether the person has active tuberculosis. If the staff is not able to keep the person in respiratory isolation, the staff shall not admit the person until a health care provider determines that the person does not have active tuberculosis.</p> <p>5. If a test or evaluation indicates that a person has suspected or active tuberculosis, the staff of the facility shall not admit the person to the facility, or, if he has already been admitted, shall not allow the person to remain in the facility,</p>	L9999			

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L9999	<p>Continued From page 7</p> <p>unless the facility keeps the person in respiratory isolation. The person must be kept in respiratory isolation until a health care provider determines that the person does not have active tuberculosis or certifies that although the person has active tuberculosis, he is no longer infectious. A health care provider shall not certify that a person with active tuberculosis is not infectious unless the health care provider has obtained not less than three consecutive negative sputum AFB smears which were collected on separate days.</p> <p>6. If a test indicates that a person who has been or will be admitted to a facility has active tuberculosis, the staff of the facility shall ensure that the person is treated for the disease in accordance with the recommendations of the American Thoracic Society and the American Lung Association for the counseling of, and effective therapy for, a person having active tuberculosis. The recommendations are set forth in " Tuberculosis: What the Physician Should Know. "</p> <p>7. The staff of the facility shall ensure that counseling and preventive therapy are offered to each resident with a positive tuberculin skin test in accordance with the recommendations of the American Thoracic Society and the American Lung Association set forth in " Tuberculosis: What the Physician Should Know. "</p> <p>8. The staff of the facility shall ensure that any action carried out pursuant to this section and the results thereof are documented in the person ' s medical record.</p> <p>(Added to NAC by Bd. of Health, eff. 1-24-92; A 3-28-96)</p> <p>Based on record review and staff interview, the agency failed to provide tuberculosis testing and pre-employment physicals as required under NAC 441A.375.</p> <p>1. Employee #9's hire date was 11/30/10.</p>	L9999			

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L9999	Continued From page 8 Review of her personnel file revealed a TB skin test done 2/2/11 but the file lacked evidence of a second step. 2. Nine of 9 employees lacked pre-employment physicals which had the required physician statement that the person is in a state of good health, is free from active tuberculosis and any other communicable disease in a contagious stage. Scope : 3 Severity : 2	L9999			

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